

NEWS RELEASE

**OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF ILLINOIS**

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For Immediate Release

JULY 12, 2006

Randy G. Massey, Acting United States Attorney for the Southern District of Illinois, announced today that on May 16, 2006, **DAVID NEWBERRY**, age 40, of Cobden, Illinois, was indicted by a Grand Jury sitting in East St. Louis, Illinois, in fourth superseding indictment charging him with conspiracy to distribute 50 grams or more of crack cocaine. The violation took place between April 2003, and July 2, 2003, in Jackson, Williamson, Union, and Pulaski Counties. An indictment is a formal charge against a defendant. Under the law, a defendant is presumed to be innocent of a charge until proved guilty beyond a reasonable doubt to the satisfaction of a jury. **NEWBERRY** was arrested on the indictment on July 5, 2006, and is being held without bond pending a September 12, 2006, jury trial.

The offense carries a penalty of between 10 years' and life imprisonment, a fine of up to \$4,000,000, and a term of 5 years supervised release. Co-defendant **ANTOINE SMITH** has previously been sentenced to 37 months' imprisonment for his role in the crack cocaine conspiracy. On June 2, 2006, an East St. Louis jury convicted co-defendant **PATRICK ORIEDO** of conspiracy to distribute 50 grams or more of crack cocaine, five counts of distribution of crack cocaine, possession of a firearm by a felon, and using a firearm during a drug trafficking offense. **ORIEDO** is set for sentencing on September 11, 2006.

The investigation was conducted by the Jackson County Sheriff's Office, Union County Sheriff's Office, United States Marshals Service, Murphysboro Police Department, Drug Enforcement Administration, Southern Illinois Enforcement Group, and Bureau of Alcohol, Tobacco, Firearms, and Explosives pursuant to their participation in the Project Safe Neighborhoods Initiative.

The case is assigned to Assistant United States Attorney Amanda A. Robertson for prosecution.